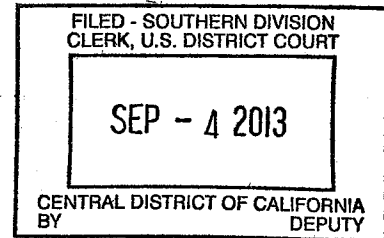


UNDER SEAL



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

September 2012 Grand Jury

UNITED STATES OF AMERICA,  
Plaintiff,  
v.

SA CR 13-

**SA CR 13-0168**

I N D I C T M E N T

ISMAEL ESQUIVEL,  
aka "Lil Bogart,"  
RALPH BERNAL,  
aka "Rafa,"  
GLORIA AGUILAR-VARGAS,  
aka "Homegirl,"  
GUILLERMO MAYORAL,  
aka "Creeper,"  
JOE CAMPOS,  
aka "Crazy,"  
GERARDO CASTRO,  
aka "Minor,"  
RAMON ALVAREZ,  
aka "Paya,"  
ROBERTO MURIEL,  
aka "Mono,"  
DANNY RODRIGUEZ,  
aka "Big Shotgun,"  
RAUL GONZALEZ-HERNANDEZ,  
aka "Butch,"  
GUSTAVO NUNEZ,  
aka "Blackie,"  
MANUEL HERNANDEZ,  
aka "Smiley,"  
EDGARDO MORENO,  
aka "Mugsy,"

[18 U.S.C. § 1962(d):  
Racketeer Influenced and  
Corrupt Organizations  
Conspiracy; 21 U.S.C.  
§§ 841(a)(1), (b)(1)(B)(viii):  
Distribution of  
Methamphetamine; 18 U.S.C.  
§ 922(g)(1): Felon in  
Possession of a Firearm]

1  
2  
3  
4 FRANCISCO AMAYA, )  
    aka "Vamps," )  
5 PEDRO TORRES, )  
    aka "Bugsy," )  
6 GEORGE MARTINEZ, )  
    aka "Monk," )  
7 JOHN TERRONES, )  
MARIO FRANCO, )  
8 JACK GLENNING, )  
ANTHONY MARUSIC, )  
9     aka "Crickett," )  
JOSEPH BANDA, )  
10     aka "Jojo," )  
KIMBERLY SILVA-COX, )  
11     aka "Smiley," )  
FRED HARPER, )  
12     aka "Youngster," )  
AMBER CANTU, )  
13 MARCELO PEREZ, )  
    aka "Stalker," )  
14 ALVARO HERNANDEZ, )  
    aka "Lucky," )  
15 )  
16                   Defendants. )

17 The Grand Jury Charges:

18                   [18 U.S.C. § 1962(d)]

19                   INTRODUCTORY ALLEGATIONS

20                   THE RACKETEERING ENTERPRISE

21         1. At all times relevant to this Indictment:

22         Defendants ISMAEL ESQUIVEL, also known as ("aka") "Lil  
23 Bogart" ("ESQUIVEL"); RALPH BERNAL, aka "Rafa" ("BERNAL"); GLORIA  
24 AGUILAR-VARGAS, aka "Homegirl" ("AGUILAR-VARGAS"); GUILLERMO  
25 MAYORAL, aka "Creeper" ("MAYORAL"); JOE CAMPOS, aka "Crazy"  
26 ("CAMPOS"); GERARDO CASTRO, aka "Minor" ("CASTRO"); RAMON  
27 ALVAREZ, aka "Paya" ("ALVAREZ"); ROBERTO MURIEL, aka "Mono"  
28 ("MURIEL"); DANNY RODRIGUEZ, aka "Big Shotgun" ("RODRIGUEZ");

1 RAUL GONZALEZ-HERNANDEZ, aka "Butch" ("R. HERNANDEZ"); GUSTAVO  
2 NUNEZ, aka "Blackie" ("NUNEZ"); MANUEL HERNANDEZ, aka "Smiley"  
3 ("M. HERNANDEZ"); EDGARDO MORENO, aka "Mugsy" ("MORENO");  
4 FRANCISCO AMAYA, aka "Vamps" ("AMAYA"); PEDRO TORRES, aka "Bugsy"  
5 ("TORRES"); GEORGE MARTINEZ, aka "Monk" ("MARTINEZ"); JOHN  
6 TERRONES ("TERRONES"); MARIO FRANCO ("FRANCO"); JACK GLENNING  
7 ("GLENNING"); ANTHONY MARUSIC, aka "Crickett" ("MARUSIC"); JOSEPH  
8 BANDA, aka "Jo-Jo" ("BANDA"); KIMBERLY SILVA-COX, aka "Smiley"  
9 ("SILVA-COX"); FRED HARPER, aka "Youngster" ("HARPER"); AMBER  
10 CANTU ("CANTU"); MARCELO PEREZ, aka "Stalker" ("PEREZ"); ALVARO  
11 HERNANDEZ, aka "Lucky" ("A. HERNANDEZ"); (collectively, the  
12 "defendants"), and others known and unknown to the Grand Jury,  
13 were members and associates of the Orange County Branch of the  
14 Mexican Mafia (the "OC Mexican Mafia") headed by co-conspirators  
15 Peter Ojeda ("Ojeda") and Albert Vargas ("Vargas"), which engaged  
16 in acts involving murder, assaults, extortion, and narcotics  
17 trafficking for monetary gain. The OC Mexican Mafia, including  
18 its leadership, membership, and associates, constituted an  
19 "enterprise," as defined by Title 18, United States Code, Section  
20 1961(4) (hereinafter "the enterprise"), that is, a group of  
21 individuals associated in fact. The enterprise constituted an  
22 ongoing organization whose members functioned as a continuing  
23 unit for a common purpose of achieving the objectives of the  
24 enterprise. This enterprise was engaged in and its activities  
25 affected interstate and foreign commerce.

#### 26 GENERAL BACKGROUND

27 2. At all times relevant to this Indictment,  
28 co-conspirators Ojeda and Vargas were members of the Mexican

1 Mafia, a powerful and violent prison gang which controlled drug  
2 distribution and other illegal activities within the California  
3 penal system.

4 3. In addition to exerting its control in the California  
5 penal system, the Mexican Mafia also operated on the streets of  
6 Southern California by organizing Hispanic street gang members  
7 for the purpose of establishing a larger network for the Mexican  
8 Mafia's illegal activities.

9 4. If a gang did not accede to the Mexican Mafia, the  
10 Mexican Mafia assaulted or killed the gang's members who were not  
11 in custody as well as those members who were incarcerated within  
12 the California penal system. In addition to intimidating  
13 individuals within the California penal system by assaulting  
14 them, the Mexican Mafia also asserted control and influence over  
15 gang members outside the California penal system because gangs  
16 did not want their members in the penal system to be assaulted or  
17 killed, and because the gang members knew that, if they were  
18 incarcerated, they would need the protection of the Mexican Mafia  
19 while they served their sentences.

20 5. As members of the Mexican Mafia, or "carnals,"  
21 co-conspirators Ojeda and Vargas maintained the primary  
22 leadership role among Hispanic street gang members in Orange  
23 County.

24 6. High-ranking and intermediate-level members of Hispanic  
25 criminal street gangs operating in Orange County, such as  
26 F-Troop, Delhi, Santa Nita, Orange County Criminals, and Townsend  
27 Street, made up the OC Mexican Mafia and assisted co-conspirators  
28 Ojeda and Vargas in exerting their influence over Hispanic

1 criminal street gangs and their members. Co-conspirators Ojeda  
2 and Vargas' influence over Orange County Hispanic criminal street  
3 gangs and their members extended from the streets of Orange  
4 County into the Orange County Jail system and the California  
5 correctional system.

6 7. Through the OC Mexican Mafia, co-conspirators Ojeda and  
7 Vargas required Hispanic criminal street gangs in Orange County  
8 to pay money as a "tax" or "tribute" (hereinafter, the "tax") on  
9 a regular basis. The tax consisted of a portion of the proceeds  
10 the gangs earned from the various criminal activities engaged in  
11 by the membership of the gangs. By paying the tax, the members  
12 of these street gangs were permitted by the OC Mexican Mafia to  
13 exert influence over their neighborhoods and territories and to  
14 seek protection or assistance from the OC Mexican Mafia if  
15 needed.

16 8. Through the OC Mexican Mafia, co-conspirators Ojeda and  
17 Vargas also disciplined Orange County criminal street gangs and  
18 their members who engage in unsanctioned violence or did not pay  
19 taxes as required. The OC Mexican Mafia also disciplined in the  
20 same manner any gang member who committed some act of disrespect  
21 to the organization, its members, or those protected by it. This  
22 discipline included placing "green lights" on the offending gang  
23 or gang member, meaning the gang or gang member would be targeted  
24 for physical discipline or assault by members of the OC Mexican  
25 Mafia or those doing its bidding, or the gang or gang member  
26 would be required to pay a "penalty" tax to the OC Mexican Mafia.  
27 The OC Mexican Mafia also disciplined members and associates of  
28 its enterprise and other gang members by putting them on a "hard

1 candy" list, meaning the individual would be targeted for death  
2 by any member or associate of the OC Mexican Mafia.

3 9. The OC Mexican Mafia exercised control over narcotics  
4 dealers in Orange County and elsewhere by taxing them. By paying  
5 the tax, the narcotics dealers were free to sell narcotics  
6 without interference from the OC Mexican Mafia. In addition, if  
7 narcotics dealers paid significant amounts of money to the OC  
8 Mexican Mafia as taxes, the OC Mexican Mafia aided and abetted  
9 these narcotics dealers in their narcotics trafficking activities  
10 by helping to collect drug debts owed to the dealers and  
11 intervening on behalf of the dealers in any disputes with  
12 customers, gang members, or any non-organization member seeking  
13 to impose taxes on the dealer. As with the Hispanic criminal  
14 street gangs, if a narcotics dealer failed to pay the taxes  
15 demanded by the OC Mexican Mafia, the OC Mexican Mafia would put  
16 a "green light" out on the dealer, meaning the dealer would be  
17 assaulted and/or forced to cease any narcotics trafficking  
18 activities.

19 10. The OC Mexican Mafia also controlled the Orange  
20 County Jail's Hispanic inmate population by authorizing certain  
21 incarcerated inmates to "run" the jail on behalf of the  
22 organization, which involved carrying out "green lights" or  
23 assaults on inmates targeted by the organization, and collecting  
24 taxes from inmates conducting illegal activities inside the jail,  
25 such as narcotics trafficking.

26 11. The OC Mexican Mafia had an organizational structure  
27 with co-conspirators Ojeda and Vargas serving as the leaders of  
28 the organization. Co-conspirators Ojeda and Vargas maintained

1 their leadership position in the organization and ordered members  
2 and associates going against the organization to be placed on the  
3 "hard candy" list. This led to the OC Mexican Mafia's  
4 involvement in a number of conspiracies to commit assaults and  
5 murders over a number of years, including those described in this  
6 Indictment.

7 12. Crucial to the function of the OC Mexican Mafia were  
8 the girlfriends and wives of incarcerated members and associates.  
9 These defendants were directly involved in the affairs of the OC  
10 Mexican Mafia and knowingly passed messages between members and  
11 associates of the OC Mexican Mafia that helped ensure that the OC  
12 Mexican Mafia was able to serve its purposes. The messages they  
13 passed included the "green light" and "hard candy" lists which  
14 resulted in individuals being targeted for assaults and murder.

15 PURPOSES OF THE ENTERPRISE

16 13. The purposes of the enterprise included, but were not  
17 limited to, the following:

18 a. Preserving, protecting, and expanding the power of  
19 the enterprise through the use of intimidation, violence, threats  
20 of violence, assaults, murders, and conspiracies to commit  
21 murder.

22 b. Enriching the members of the enterprise through,  
23 among other things, narcotics trafficking and the extortion of  
24 narcotics traffickers and others.

25 c. Promoting and enhancing the enterprise and the  
26 activities of its members.

27 d. Protecting and concealing the activities of the  
28 enterprise.

ROLES OF THE DEFENDANTS

14. The defendants participated in the operation and management of the enterprise.

a. Co-conspirators Peter Ojeda and Albert Vargas were the leaders of the enterprise who directed or delegated the power to direct other members of the enterprise in carrying out unlawful and other activities in furtherance of the conduct of the enterprise's affairs.

b. Under the direction of the leadership of the enterprise, defendants ESQUIVEL, BERNAL, AGUILAR-VARGAS, R. HERNANDEZ, TORRES, GLENNING, MARUSIC, BANDA, SILVA-COX, CANTU, PEREZ, and A. HERNANDEZ were associates of the enterprise who participated in unlawful and other activities in furtherance of the conduct of the enterprise's affairs on the street. These activities included conspiracies to commit murder, conspiracies to commit serious assaults, and extortion collections on behalf of the OC Mexican Mafia.

c. Under the direction of the leadership of the enterprise, defendants ESQUIVEL, ALVAREZ, MAYORAL, CASTRO, CAMPOS, MURIEL, RODRIGUEZ, R. HERNANDEZ, M. HERNANDEZ, NUNEZ, MORENO, AMAYA, and HARPER were associates who participated in unlawful and other activities in furtherance of the conduct of the enterprise's affairs while in custody within the Orange County Jail ("OCJ") system. The above defendants furthered the activities of the enterprise by authorizing, on behalf of co-conspirators Ojeda and Vargas, numerous gang members and associates to be put on the "hard candy" and "green light" lists within the OCJ system. The above defendants were also involved



1 in passing information throughout the hierarchy of the enterprise  
2 to update members of the enterprise concerning new targets for  
3 assault and/or murder, along with updating the Southern Hispanic  
4 gang population about current rules and "green light" targets.  
5 They were also involved within the hierarchy of the enterprise by  
6 holding leadership positions or shot-caller positions within the  
7 enterprise.

8 d. Under the direction of the leadership of the  
9 enterprise, defendants BERNAL, MARTINEZ, TERRONES, and FRANCO  
10 were associates who participated in unlawful and other activities  
11 in furtherance of the conduct of the enterprise's affairs on the  
12 street related to the distribution and trafficking of drugs. The  
13 above defendants paid weekly drug taxes to the enterprise for  
14 protection and to continue their ongoing illegal drug activities  
15 under the umbrella of the enterprise. Defendant MARTINEZ was  
16 also involved in collecting and holding some of the drug tax  
17 proceeds collected on behalf of the enterprise for co-conspirator  
18 Ojeda.

19 THE MEANS AND METHODS OF THE ENTERPRISE

20 15. Among the means and methods by which the defendants and  
21 their associates conducted and participated in the conduct of the  
22 affairs of the OC Mexican Mafia were the following:

23 a. Members and associates of the enterprise committed,  
24 conspired, attempted, and threatened to commit acts of violence,  
25 including murders and assaults to protect and expand the  
26 enterprise's criminal operations.

1           b. To generate income, members and associates of the  
2 enterprise trafficked in controlled substances and extorted  
3 narcotics traffickers.

4           c. To perpetuate the enterprise, the members of the  
5 enterprise concealed from law enforcement the way in which the  
6 enterprise conducted its affairs, the locations where enterprise  
7 members discussed and conducted the affairs of the enterprise,  
8 the locations where enterprise members stored and possessed  
9 narcotics, and the locations where enterprise members maintained  
10 the proceeds from narcotics trafficking and the extortion of  
11 narcotics dealers.

12                               RACKETEERING CONSPIRACY

13           16. Beginning on a date unknown to the Grand Jury, but at  
14 least since in or about October 2008, and continuing to a date  
15 unknown to the Grand Jury, but at least on or about September 4,  
16 2013, in Orange County, within the Central District of  
17 California, and elsewhere, defendants ESQUIVEL, BERNAL,  
18 AGUILAR-VARGAS, ALVAREZ, MAYORAL, CAMPOS, CASTRO, MURIEL,  
19 RODRIGUEZ, R. HERNANDEZ, NUNEZ, M. HERNANDEZ, MORENO, AMAYA,  
20 TORRES, MARTINEZ, TERRONES, FRANCO, GLENNING, MARUSIC, BANDA,  
21 SILVA-COX, HARPER, CANTU, PEREZ, A. HERNANDEZ, and others known  
22 and unknown to the Grand Jury, being persons employed by and  
23 associated with the enterprise described in Paragraphs One  
24 through Fifteen of this Indictment, that is, the OC Mexican  
25 Mafia, which enterprise was engaged in, and the activities of  
26 which affected, interstate and foreign commerce, knowingly and  
27 intentionally conspired to violate Title 18, United States Code,  
28 Section 1962(c), that is, to conduct and participate, directly

1 and indirectly, in the conduct of the affairs of the enterprise  
2 through a pattern of racketeering activity, as that term is  
3 defined in Title 18, United States Code, Sections 1961(1) and  
4 1961(5).

5 17. The pattern of racketeering activity through which  
6 defendants ESQUIVEL, BERNAL, AGUILAR-VARGAS, ALVAREZ, MAYORAL,  
7 CASTRO, CAMPOS, MURIEL, RODRIGUEZ, R. HERNANDEZ, NUNEZ, M.  
8 HERNANDEZ, MORENO, AMAYA, TORRES, MARTINEZ, TERRONES, FRANCO,  
9 GLENNING, MARUSIC, BANDA, SILVA-COX, HARPER, CANTU, PEREZ, A.  
10 HERNANDEZ, and others known and unknown to the Grand Jury, agreed  
11 together and with each other, to conduct the affairs of the  
12 enterprise, consisted of multiple acts involving:

13 a. Murder, in violation of California Penal Code  
14 Sections 182, 187, and 189;

15 b. Extortion, in violation of California Penal Code  
16 Sections 182, and 518 to 520; and

17 c. Narcotics trafficking, in violation of the laws of  
18 the United States, including Sections 841(a)(1), 841(b)(1)(B),  
19 and 846 of Title 21, United States Code.

20 Each defendant agreed that a conspirator would commit at  
21 least two acts of racketeering in the conduct of the affairs of  
22 the enterprise.

23 OVERT ACTS

24 18. In furtherance of the conspiracy and to accomplish the  
25 objects of the conspiracy, the defendants and their co-  
26 conspirators committed the following overt acts, among others, in  
27 Orange County, within the Central District of California, and  
28 elsewhere:

1        Overt Act No. 1:        On or about October 18, 2008,  
2 unindicted co-conspirators G.C. and A.M. participated in a  
3 recorded conversation in which they discussed how extra money  
4 could be made by collecting from people who skipped bail against  
5 defendant GLENNING.

6        Overt Act No. 2:        On or about October 19, 2008,  
7 unindicted co-conspirators G.C and A.M. participated in a  
8 recorded conversation in which they discussed how defendant  
9 GLENNING would contact co-conspirator Ojeda when someone did not  
10 pay their bail so that co-conspirator Ojeda could have someone  
11 use force to collect bail money for defendant GLENNING.

12        Overt Act No. 3:        On or about November 23, 2008,  
13 unindicted co-conspirator A.M. participated in a recorded  
14 conversation in which he stated he was able to send a message  
15 regarding assaulting an individual to co-conspirator Ojeda  
16 through defendant GLENNING.

17        Overt Act No. 4:        On or about December 11, 2008, defendant  
18 GLENNING participated in a recorded telephone conversation in  
19 which defendant GLENNING stated he was passing messages to co-  
20 conspirator Ojeda.

21        Overt Act No. 5:        On or about January 15, 2009, defendant  
22 AGUILAR-VARGAS arranged to deposit \$600 into co-conspirator  
23 Ojeda's prison account.

24        Overt Act No. 6:        On or about January 27, 2009, defendant  
25 AGUILAR-VARGAS arranged to deposit \$700 into co-conspirator  
26 Ojeda's prison account.

27        Overt Act No. 7:        On or about February 20, 2009, defendant  
28

1 AGUILAR-VARGAS arranged to deposit \$500 into co-conspirator  
2 Ojeda's prison account.

3 Overt Act No. 8: On or about March 1, 2010, defendant  
4 MURIEL sent a message to members and associates of the OC Mexican  
5 Mafia in custody at the OCJ stating that the jail was under the  
6 control of co-conspirator Ojeda and that defendant MURIEL was in  
7 control of Module M.

8 Overt Act No. 9: On or about June 10, 2010, co-  
9 conspirator Tyrone Rye sent a current "hard candy" list of  
10 subjects targeted for murder to defendant CAMPOS.

11 Overt Act No. 10: On or about June 10, 2010, defendant  
12 CAMPOS, a shot-caller in the OC Mexican Mafia, awaited the  
13 arrival of a current "hard candy" list to use to update  
14 associates of the OC Mexican Mafia on those targeted by the  
15 enterprise for murder.

16 Overt Act No. 11: Beginning in or around January 2011,  
17 defendant FRANCO paid approximately \$200 a week in tax payments  
18 to the OC Mexican Mafia to insure the protection of his drug  
19 trafficking activities by the enterprise.

20 Overt Act No. 12: Beginning in or around February 2011,  
21 defendant R. HERNANDEZ began collecting taxes from the narcotics  
22 sales conducted by the Varrio Chico and Varrio Viejo criminal  
23 street gangs, and defendant R. HERNANDEZ then passed the money he  
24 collected on to co-conspirator Joe Lara, who was a shot-caller  
25 for the OC Mexican Mafia.

26 Overt Act No. 13: On or about March 2, 2011, defendant  
27  
28

1 PEREZ collected a \$100 tax payment from a confidential informant  
2 ("CI #1"), and defendant PEREZ told CI#1 that CI#1 was to deal  
3 directly with PEREZ when making any future tax payments.

4 Overt Act No. 14: On or about March 29, 2011, defendant  
5 PEREZ collected a \$100 tax payment from CI#1 and then discussed  
6 how much in taxes CI#1 had already paid.

7 Overt Act No. 15: On or about April 7, 2011, defendant  
8 PEREZ collected a \$130 tax payment from CI#1.

9 Overt Act No. 16: On or about May 24, 2011, defendant  
10 TERRONES supplied approximately 15.3 grams of heroin to CI#1.

11 Overt Act No. 17: On or about June 21, 2011, defendant  
12 PEREZ collected a \$100 tax payment from CI#1, and defendant PEREZ  
13 told CI#1 that the tax payment was ultimately going to co-  
14 conspirator Ojeda.

15 Overt Act No. 18: On or about June 9, 2011, defendant  
16 TERRONES supplied approximately 14.8 grams of heroin to CI#1.

17 Overt Act No. 19: On or about June 24, 2011, defendant  
18 TERRONES supplied approximately 21.9 grams of heroin to CI#1.

19 Overt Act No. 20: On or about June 26, 2011, defendant  
20 MURIEL sent a message to members and associates of the OC Mexican  
21 Mafia in custody at the OCJ in which defendant MURIEL identified  
22 himself and defendant ALVAREZ as running the criminal activities  
23 at the OCJ on behalf of co-conspirator Ojeda; and defendant  
24 MURIEL further sent a message that three gang members were on the  
25 "hard candy" list and were therefore being targeted by the OC  
26 Mexican Mafia for murder.

27 Overt Act No. 21: On or about July 7, 2011, defendant  
28 PEREZ collected another \$100 tax payment from CI#1.

1       Overt Act No. 22:   On or about July 13, 2011, defendant  
2 AGUILAR-VARGAS possessed several pay/owe sheets in her residence  
3 showing money that co-conspirator Navarro had collected on behalf  
4 of co-conspirator Ojeda in the form of tax payments from  
5 narcotics traffickers on the streets, some of which money  
6 defendant AGUILAR-VARGAS gave to defendant MARTINEZ to hold for  
7 co-conspirator Ojeda.

8       Overt Act No. 23:   On or about July 18, 2011, defendant  
9 CAMPOS served as the shot-caller for Module K at the Theo Lacy  
10 Jail.

11       Overt Act No. 24:   On or about August 9, 2011, defendant  
12 AGUILAR-VARGAS sent two greeting cards containing heroin to co-  
13 conspirator Vargas in the Santa Ana jail.

14       Overt Act No. 25:   On or about August 31, 2011, defendant  
15 PEREZ collected a \$200 tax payment from CI#1 for the OC Mexican  
16 Mafia, and defendant PEREZ told CI#1 that he was collecting tax  
17 payments for co-conspirator Ojeda.

18       Overt Act No. 26:   On or about September 4, 2011, defendant  
19 ESQUIVEL visited co-conspirator Ojeda in jail, and defendant  
20 ESQUIVEL arranged to deposit \$200 into co-conspirator Ojeda's  
21 jail account.

22       Overt Act No. 27:   On or about September 6, 2011, defendant  
23 NUNEZ possessed narcotics in the Theo Lacy jail.

24       Overt Act No. 28:   On or about September 6, 2011,  
25 defendant NUNEZ possessed two messages for the members and  
26 associates of the OC Mexican Mafia which listed gangs to be  
27 "green lighted" by the OC Mexican Mafia.

28       Overt Act No. 29:   On or about September 6, 2011, defendant

1 NUNEZ served as a shot-caller for the OC Mexican Mafia.

2 Overt Act No. 30: On or about September 21, 2011,  
3 defendants TERRONES and R. HERNANDEZ participated in a recorded  
4 telephone conversation in which defendant R. HERNANDEZ stated  
5 that either defendant R. HERNANDEZ or defendant ESQUIVEL would  
6 call defendant TERRONES to arrange future tax collections.

7 Overt Act No. 31: On or about September 21, 2011,  
8 defendant TERRONES supplied approximately 24.5 grams of heroin to  
9 CI#1.

10 Overt Act No. 32: On or about September 23, 2011,  
11 defendant A. HERNANDEZ collected a \$150 tax payment from CI#1,  
12 and defendant A. HERNANDEZ told CI#1 that he was now the person  
13 collecting tax payments on behalf of co-conspirator Ojeda because  
14 defendant PEREZ was in custody.

15 Overt Act. No. 33: On or about September 26, 2011,  
16 defendant TERRONES and co-conspirator Holy Lamb ("Lamb")  
17 participated in a recorded telephone conversation in which they  
18 discussed how defendant R. HERNANDEZ gave defendant TERRONES'  
19 phone number to defendant TORRES because defendant TORRES was now  
20 in charge of collecting tax payments for defendant ESQUIVEL.

21 Overt Act No. 34: On or about September 28, 2011,  
22 defendants M. HERNANDEZ and TERRONES participated in a recorded  
23 telephone conversation in which they discussed how defendant R.  
24 HERNANDEZ was arrested and how he had been in charge of  
25 collecting tax payments.

26 Overt Act No. 35: On or about September 28, 2011,  
27 defendants TERRONES and TORRES participated in a recorded  
28 telephone conversation in which defendant TERRONES explained how



1 defendant M. HERNANDEZ was arrested and therefore could not take  
2 care of collecting tax payments, and defendant TERRONES requested  
3 a meeting with defendant TORRES.

4 Overt Act No. 36: On or about September 29, 2011,  
5 defendant M. HERNANDEZ participated in a recorded telephone call  
6 with co-conspirator Lamb in which defendant M. HERNANDEZ told co-  
7 conspirator Lamb to pass along a message to have a gang member  
8 assaulted on the street. Defendant M. HERNANDEZ and co-  
9 conspirator Lamb also discussed selling narcotics.

10 Overt Act No. 37: On or about September 29, 2011,  
11 defendant TERRONES supplied approximately 24.3 grams of heroin to  
12 CI#1.

13 Overt Act No. 38: On or about September 30, 2011,  
14 defendant A. HERNANDEZ participated in a recorded telephone  
15 conversation with co-conspirator Pedro Hernandez in which  
16 defendant A. HERNANDEZ explained that defendants PEREZ and M.  
17 HERNANDEZ wanted defendant A. HERNANDEZ to start collecting tax  
18 payments.

19 Overt Act No. 39: On or about October 3, 2011, defendants  
20 TERRONES and TORRES participated in a recorded telephone  
21 conversation in which defendant TERRONES stated he was trying to  
22 get a hold of defendant ESQUIVEL because defendant TERRONES owed  
23 tax payments.

24 Overt Act No. 40: On or about October 7, 2011, defendant  
25 A. HERNANDEZ collected a \$100 tax payment from CI#1.

26 Overt Act No. 41: On or about October 12, 2011, defendant  
27 A. HERNANDEZ supplied approximately 22.8 grams of methamphetamine  
28 to CI#1.

1        Overt Act No. 42:    On or about October 12, 2011, defendant  
2 FRANCO supplied approximately 27.6 grams of methamphetamine to  
3 CI#1.

4        Overt Act No. 43:    On or about October 26, 2011, defendant  
5 R. HERNANDEZ sent a message to defendants ESQUIVEL and TORRES to  
6 remove two gang members that defendant R. HERNANDEZ had put on  
7 the "green light" list.

8        Overt Act No. 44:    Prior to on or about November 4, 2011,  
9 defendants AGUILAR-VARGAS and ESQUIVEL instructed defendant  
10 ALVAREZ to order an assault of defendant R. HERNANDEZ.

11       Overt Act No. 45:    On or about November 4, 2011, associates  
12 of the OC Mexican Mafia assaulted defendant R. HERNANDEZ for  
13 disrespecting an OC Mexican Mafia member and violating the  
14 leadership rules within the enterprise.

15       Overt Act No. 46:    On or about November 9, 2011, unindicted  
16 co-conspirator H.M. collected a tax payment from CI#1 for  
17 defendant A. HERNANDEZ.

18       Overt Act No. 47:    On or about November 9, 2011, defendants  
19 TERRONES and ESQUIVEL participated in a recorded telephone  
20 conversation in which they discussed the amount of tax payment  
21 defendant TERRONES should pay based on defendant TERRONES'  
22 narcotics sales, and defendant ESQUIVEL told defendant TERRONES  
23 to give the tax payments to defendant BANDA every Friday.

24       Overt Act No. 48:    On or about November 22, 2011,  
25 defendants R. HERNANDEZ and MARUSIC participated in a recorded  
26 telephone conversation in which defendant R. HERNANDEZ told  
27 defendant MARUSIC to talk to defendant ESQUIVEL to remove  
28 defendant R. HERNANDEZ's name from the "hard candy" list.

1 Defendant R. HERNANDEZ also discussed putting two gang members on  
2 the "green light" list.

3 Overt Act No. 49: On or about November 26, 2011,  
4 defendants R. HERNANDEZ and MARUSIC participated in a recorded  
5 telephone conversation in which defendant R. HERNANDEZ discussed  
6 how he wanted to be given control of the jails by defendant  
7 ESQUIVEL, and defendant MARUSIC told defendant R. HERNANDEZ he  
8 would not take no for an answer.

9 Overt Act No. 50: On or about November 29, 2011, defendant  
10 CAMPOS, a shot-caller for the OC Mexican Mafia, sent two messages  
11 to members and associates of the OC Mexican Mafia in custody at  
12 the OCJ that consisted of the current "hard candy" and "green  
13 light" lists, as well as a discussion of OC Mexican Mafia  
14 politics.

15 Overt Act No. 51: On or about November 29, 2011, co-  
16 conspirator Tyrone Rye sent a letter to members and associates  
17 of the OC Mexican Mafia in custody at the OCJ discussing how  
18 defendant AMAYA passes messages for the OC Mexican Mafia.

19 Overt Act No. 52: On or about November 30, 2011,  
20 defendant R. HERNANDEZ participated in a recorded telephone  
21 call with unindicted co-conspirator L.W. in which unindicted  
22 co-conspirator L.W. described how defendant AGUILAR-VARGAS had  
23 threatened unindicted co-conspirator L.W.

24 Overt Act No. 53: On or about December 1, 2011,  
25 defendant AMAYA attempted to smuggle methamphetamine into the  
26 Santa Ana Jail for the OC Mexican Mafia.

27 Overt Act No. 54: On or about December 1, 2011,  
28 defendant AMAYA possessed a "hard candy" list.

1        Overt Act No. 55:    On or about December 2, 2011 and  
2    December 3, 2011, defendants TERRONES and BANDA participated in  
3    a series of recorded telephone conversation in which they  
4    discussed setting up a meeting so defendant BANDA could pick up  
5    tax payments from defendant TERRONES.

6        Overt Act No. 56:    On or about December 4, 2011,  
7    defendants MARTINEZ and TERRONES participated in a recorded  
8    telephone conversation in which (1) defendant TERRONES  
9    discussed being taxed \$100 per week; (2) defendant TERRONES  
10   stated that defendant ESQUIVEL had threatened defendant  
11   TERRONES; and (3) defendant MARTINEZ told defendant TERRONES  
12   that the weekly tax payments were too much and informed  
13   defendant TERRONES that he was going to talk to defendant  
14   ESQUIVEL about the weekly tax payments.

15       Overt Act No. 57:    On or about December 5, 2011,  
16   defendant MARTINEZ participated in a recorded telephone  
17   conversation in which defendant MARTINEZ discussed OC Mexican  
18   Mafia politics in the OCJ.

19       Overt Act No. 58:    On or about December 6, 2011,  
20   defendant FRANCO supplied approximately 27.4 grams of  
21   methamphetamine to CI#1.

22       Overt Act No. 59:    On or about December 7, 2011,  
23   defendants R. HERNANDEZ and MARUSIC participated in a recorded  
24   telephone call in which defendant R. HERNANDEZ stated that the  
25   Anaheim Vato Locos gang wanted to pay weekly taxes to the OC  
26   Mexican Mafia, and defendant R. HERNANDEZ instructed defendant  
27   MARUSIC to collect the taxes from the gang weekly.

28       Overt Act No. 60:    On or about December 13, 2011,

1 defendant MARTINEZ participated in a recorded telephone  
2 conversation in which defendant MARTINEZ discussed how an  
3 inmate was assaulted for cooperating against the OC Mexican  
4 Mafia.

5 Overt Act No. 61: On or about December 15, 2011,  
6 defendant ALVAREZ received a message from defendant AGUILAR-  
7 VARGAS that three inmates had been added to the "hard candy"  
8 list to be killed.

9 Overt Act No. 62: On or about December 15, 2011,  
10 defendant ESQUIVEL ordered unindicted co-conspirator A.V. to be  
11 placed in charge of all Southern Hispanic inmates because  
12 defendant ALVAREZ had been moved to the Intake/Release Center.

13 Overt Act No. 63: On or about December 15, 2011,  
14 defendant AGUILAR-VARGAS ordered that unindicted co-conspirator  
15 B.G. be killed at the request of co-conspirator Ojeda.

16 Overt Act No. 64: On or about December 15, 2011,  
17 defendant ALVAREZ possessed "hard candy" and "green light"  
18 lists at the OCJ.

19 Overt Act No. 65: On or about December 26, 2011,  
20 defendant ALVAREZ was a shot-caller for the OC Mexican Mafia  
21 and possessed "hard candy" and "green light" lists that had  
22 been approved by defendant AGUILAR-VARGAS.

23 Overt Act No. 66: On or about December 30, 2011,  
24 defendant ALVAREZ ordered that unindicted co-conspirator I.B.  
25 be put on the "hard candy" list for mentioning defendant  
26 ESQUIVEL's name without permission.

27 Overt Act No. 67: On or about December 30, 2011,  
28

1 unindicted co-conspirator O.N. collected tax payments from the  
2 Logan Street gang, which he then gave to defendant CANTU.

3 Overt Act No. 68: On or about December 30, 2011,  
4 defendant ALVAREZ authorized unindicted co-conspirator W.P. to  
5 stab and kill unindicted co-conspirator I.B.

6 Overt Act No. 69: On or about January 3, 2012,  
7 unindicted co-conspirator W.P. attempted to arrange for  
8 narcotics to be sent into the OCJ so that unindicted co-  
9 conspirator W.P. could give the narcotics to defendant AMAYA,  
10 who would in turn give the narcotics to co-conspirator Ojeda in  
11 the Santa Ana jail.

12 Overt Act No. 70: On or about January 5, 2012, defendant  
13 ESQUIVEL placed a "green light" on the Pearl Street gang due to  
14 a shooting that unindicted co-conspirator J.D. participated in  
15 without the permission of the OC Mexican Mafia.

16 Overt Act No. 71: On or about January 12, 2012,  
17 defendant FRANCO supplied approximately 13.5 grams of  
18 methamphetamine to CI#1.

19 Overt Act No. 72: On or about January 18, 2012, an  
20 unindicted co-conspirator sent defendant ALVAREZ a message in  
21 which the unindicted co-conspirator apologized to defendant  
22 ALVAREZ for losing a message for the members and associates of  
23 the OC Mexican Mafia addressed to defendant ALVAREZ, and the  
24 unindicted co-conspirator acknowledged that he expected to be  
25 punished for losing the message.

26 Overt Act No. 73: On or about January 19, 2012,  
27  
28

1 defendant MARTINEZ participated in a recorded conversation in  
2 which defendant MARTINEZ discussed an individual cooperating  
3 with law enforcement against the OC Mexican Mafia.

4 Overt Act No. 74: On or about January 20, 2012,  
5 defendants TERRONES and BANDA participated in a series of  
6 recorded telephone conversations in which defendant TERRONES  
7 stated he would drive to defendant BANDA's house to leave a tax  
8 payment.

9 Overt Act No. 75: On or about January 21, 2012,  
10 defendant R. HERNANDEZ wrote a letter to an associate of the OC  
11 Mexican Mafia in which defendant R. HERNANDEZ stated he was in  
12 control of the jail and had co-conspirator Vargas' blessing.

13 Overt Act No. 76: On or about January 25, 2012,  
14 defendant ALVAREZ sent a message to members and associates of  
15 the OC Mexican Mafia in the OCJ putting defendant MURIEL on the  
16 "hard candy" list.

17 Overt Act No. 77: On or about February 1, 2012,  
18 associates of the OC Mexican Mafia assaulted defendant MURIEL  
19 in the Theo Lacy Jail.

20 Overt Act No. 78: On or about February 2, 2012,  
21 defendant MARTINEZ participated in a recorded telephone  
22 conversation in which defendant MARTINEZ explained how members  
23 and associates of the OC Mexican Mafia would ask defendant  
24 MARTINEZ to carry out assaults for them in custody.

25 Overt Act No. 79: On or about February 3, 2012,  
26 defendant BERNAL collected a \$50 tax payment from CI#3.

27 Overt Act No. 80: On or about February 3, 2012,  
28

1 defendants TERRONES and BANDA participated in a recorded  
2 telephone conversation in which they agree to meet so defendant  
3 TERRONES could give defendant BANDA the tax payments.

4 Overt Act No. 81: On or about February 5, 2012,  
5 defendant MARTINEZ participated in a recorded telephone  
6 conversation in which defendant MARTINEZ discussed stabbing  
7 someone in the back at a party because that person owed  
8 defendant MARTINEZ money.

9 Overt Act No. 82: On or about February 6, 2012, members  
10 of the OC Mexican Mafia placed defendant R. HERNANDEZ's name on  
11 the "hard candy" list.

12 Overt Act No. 83: On or about February 9, 2012,  
13 co-conspirator Richard Asher discussed with a confidential  
14 informant ("CI#2") his concern that defendant ESQUIVEL was  
15 going to put the Orange Varrio Cypress street gang on the  
16 "green light" list.

17 Overt Act No. 84: On or about February 9, 2012,  
18 defendant MARTINEZ supplied co-conspirator Richard Asher with  
19 approximately 24.7 grams of heroin.

20 Overt Act No. 85: On or about February 17, 2012,  
21 defendants TERRONES and BANDA participated in a recorded  
22 telephone conversation in which defendant TERRONES stated he  
23 had the tax payments for defendant BANDA.

24 Overt Act No. 86: In or about March 2012, defendant  
25 ESQUIVEL discussed how defendant R. HERNANDEZ was in poor  
26 standing within the OC Mexican Mafia.

27 Overt Act No. 87: On or about March 1, 2012, defendant  
28



1 BERNAL participated in a recorded conversation with CI#3 in  
2 which defendant BERNAL instructed CI#3 to make a tax payment to  
3 defendant MARUSIC.

4 Overt Act No. 88: On or about March 2, 2012, defendant  
5 MARTINEZ participated in a recorded telephone conversation with  
6 an unknown male in which they discussed how there was a "green  
7 light" on the Delhi gang because of the M. brothers. They  
8 further discussed that it was not fair to put a "green light"  
9 on the whole neighborhood when it was only because of the  
10 actions of the M. brothers, and they opined that the M.  
11 brothers should have to pay a tax to the OC Mexican Mafia in  
12 lieu of punishing the whole neighborhood.

13 Overt Act No. 89: On or about March 6, 2012, defendant  
14 MARUSIC collected a \$150 tax payment from CI#3 for defendant  
15 BERNAL.

16 Overt Act No. 90: On or about March 9, 2012, defendant  
17 TORRES met with defendant BERNAL. During the meeting,  
18 defendant TORRES explained to defendant BERNAL how some gangs  
19 in Santa Ana were not paying taxes. Defendant TORRES stated he  
20 would go to talk to the gangs about members who were not paying  
21 their taxes. Defendant BERNAL directed defendant TORRES to  
22 collect between \$500-1000 dollars from unindicted co-  
23 conspirator M.E. from the Delhi gang due to a shooting by  
24 unindicted co-conspirator M.E. that occurred without the OC  
25 Mexican Mafia's permission.

26 Overt Act No. 91: On or about March 9, 2012, defendant  
27 BERNAL supplied approximately 5.3 grams of methamphetamine to  
28 CI#3.

1       Overt Act No. 92:   On or about March 10, 2012, defendants  
2 TERRONES and BANDA participated in a recorded telephone  
3 conversation in which they discussed defendant TERRONES giving  
4 defendant BANDA the tax payments.

5       Overt Act No. 93:   On or about March 14, 2012, defendant  
6 BERNAL participated in a recorded conversation with CI#2 in  
7 which they discussed defendant BERNAL selling an ounce of  
8 methamphetamine to CI#2. Defendant BERNAL and CI#2 further  
9 discussed the narcotics that defendant MARTINEZ sells, and  
10 defendant BERNAL and CI#2 also discussed gangs that were on and  
11 off the "green light" list.

12       Overt Act No. 94:   On or about March 14, 2012, defendant  
13 BERNAL supplied approximately 25.5 grams of heroin to CI#2.

14       Overt Act No. 95:   On or about March 14, 2012, defendants  
15 ESQUIVEL and BERNAL participated in a recorded conversation  
16 with CI#2 in which defendant ESQUIVEL discussed messages from  
17 defendant R. HERNANDEZ and how defendant R. HERNANDEZ had been  
18 assaulted because he was talking about co-conspirators Vargas  
19 and Ojeda without permission. Defendant ESQUIVEL further  
20 discussed how defendant MURIEL had been assaulted in jail and  
21 defendant MURIEL had a position of leadership, but had been  
22 talking disrespectfully about defendant ESQUIVEL. Defendant  
23 ESQUIVEL also discussed how he had drugs to send into the jail.

24       Overt Act No. 96:   On or about March 15, 2012, defendant  
25 MARTINEZ participated in a recorded telephone conversation with  
26 unindicted co-conspirator R.M., who was in custody. Defendant  
27 MARTINEZ told unindicted co-conspirator R.M. to tell the shot-  
28 callers that unindicted co-conspirator R.M. was schooled by

1 defendant MARTINEZ and therefore should not be messed with.  
2 Defendant MARTINEZ further stated that defendant MARTINEZ would  
3 try to write a letter to unindicted co-conspirator R.M. to  
4 further explain their connection so unindicted co-conspirator  
5 R.M. would not be messed with in jail.

6 Overt Act No. 97: On or about April 1, 2012,  
7 unindicted co-conspirator J.C. participated in a recorded  
8 conversation with CI#2 in which she discussed defendant  
9 ESQUIVEL and co-conspirator Vargas disrespectfully.

10 Overt Act No. 98: On or about April 2, 2012, defendant  
11 ESQUIVEL participated in a recorded jail visit with co-  
12 conspirator Vargas, and defendant ESQUIVEL discussed how  
13 unindicted co-conspirator J.C. had been killed in Mexico.

14 Overt Act No. 99: On or about April 3, 2012, defendants  
15 BERNAL and ESQUIVEL participated in a recorded meeting with  
16 CI#2 in which defendant ESQUIVEL stated that he had visited co-  
17 conspirator Vargas in jail and defendant ESQUIVEL discussed how  
18 he passes messages to co-conspirator Vargas in jail.

19 Defendants ESQUIVEL and BERNAL further discussed how unindicted  
20 co-conspirator J.C. was killed in Mexico by unindicted co-  
21 conspirator R.G. Defendants ESQUIVEL and BERNAL also discussed  
22 taxes and removing people from the "green light" and "hard  
23 candy" lists. Finally, defendant ESQUIVEL discussed defendant  
24 MARTINEZ selling narcotics and how co-conspirator Ojeda was  
25 upset at defendant MARTINEZ for buying a new bike.

26 Overt Act No. 100: Prior to on or about April 4, 2012,  
27 members of the OC Mexican Mafia placed the Barrio Small Town  
28 gang on the "green light" list.

1        Overt Act No. 101: On or about April 4, 2012, associates  
2 of the OC Mexican Mafia assaulted unindicted co-conspirator  
3 J.N., who was a member of the Barrio Small Town gang, at the  
4 Theo Lacy Jail.

5        Overt Act No. 102: On or about April 12, 2012, unindicted  
6 co-conspirator R.G. participated in a recorded telephone  
7 conversation with CI#2 in which unindicted co-conspirator R.G.  
8 stated that unindicted co-conspirator J.C. was killed in Mexico  
9 because she was talking disrespectfully about co-conspirator  
10 Ojeda.

11        Overt Act No. 103: On or about April 12, 2012, defendant  
12 ESQUIVEL put unindicted co-conspirator H.A. on the "hard candy"  
13 list.

14        Overt Act No. 104: On or about April 13, 2012,  
15 associates of the OC Mexican Mafia assaulted unindicted  
16 co-conspirator H.A. at the Theo Lacy jail.

17        Overt Act No. 105: On or about April 13, 2012, defendants  
18 TERRONES and BANDA participated in a recorded telephone  
19 conversation in which defendant TERRONES stated that he had the  
20 tax payment for defendant BANDA.

21        Overt Act No. 106: On or about April 16, 2012, defendant  
22 CANTU participated in a recorded telephone conversation with  
23 unindicted co-conspirator H.A. in which they discussed  
24 defendant CANTU helping unindicted co-conspirator H.A. make tax  
25 payments to get his name off the "hard candy" list.

26        Overt Act No. 107: Prior to on or about April 19, 2012,  
27  
28

1 members of the OC Mexican Mafia placed the Delhi street gang on  
2 the "green light" list due to a shooting that occurred in that  
3 gang's neighborhood without the OC Mexican Mafia's permission.

4 Overt Act No. 108: On or about April 19, 2012, defendants  
5 TERRONES and BANDA participated in a recorded telephone  
6 conversation in which defendant BANDA ordered narcotics from  
7 defendant TERRONES. During this call, defendant TERRONES  
8 stated that he would have his weekly tax payment ready for  
9 defendant BANDA, and defendant TERRONES asked defendant BANDA  
10 if the Delhi gang was supposed to be assaulted daily or weekly  
11 as defendant TERRONES was getting calls from Delhi inmates who  
12 were being assaulted daily. In response, defendant BANDA said  
13 the assaults were supposed to occur weekly, and defendant  
14 TERRONES stated he would speak with defendant BERNAL about the  
15 situation.

16 Overt Act No. 109: On or about April 23, 2012, defendant  
17 GLENNING participated in a recorded call with unindicted co-  
18 conspirator D.M. in which defendant GLENNING stated he was  
19 collecting money and had to threaten some people.

20 Overt Act No. 110: On or about April 27, 2012, defendants  
21 TERRONES and BANDA participated in a recorded telephone  
22 conversation in which defendant TERRONES stated he sent the tax  
23 payments for defendant BANDA and defendant ESQUIVEL. Defendant  
24 BANDA acknowledged this and stated he received the tax  
25 payments.

26 Overt Act No. 111: On or about April 29, 2012, defendant  
27 CANTU participated in a recorded telephone conversation with  
28 unindicted co-conspirator H.A. in which unindicted co-

1 conspirator H.A. told defendant CANTU he had a 47-inch  
2 television set that he could use to pay off \$1,000 he owed to  
3 defendant ESQUIVEL.

4 Overt Act No. 112: On or about May 8, 2012, defendant  
5 BERNAL collected a \$400 tax payment from CI#3.

6 Overt Act No. 113: On or about May 10, 2012, defendant  
7 BERNAL collected a \$1,800 tax payment from CI#3.

8 Overt Act No. 114: On or about May 11, 2012, defendant  
9 BERNAL supplied approximately 10.5 grams of heroin to CI#3.

10 Overt Act No. 115: On or about May 17, 2012, defendants  
11 FRANCO and BERNAL participated in a recorded telephone  
12 conversation in which defendant BERNAL asked whether defendant  
13 ESQUIVEL had stopped by to collect the tax payment from  
14 defendant FRANCO.

15 Overt Act No. 116: On or about May 25, 2012, defendant  
16 GLENNING participated in a recorded telephone conversation with  
17 unindicted co-conspirator N.A. in which defendant GLENNING  
18 stated that he was threatening an individual to pay money owed  
19 to defendant GLENNING.

20 Overt Act No. 117: On or about May 30, 2012, defendant  
21 TERRONES supplied approximately 17 grams of heroin to CI#1.

22 Overt Act No. 118: On or about June 4, 2012, defendant  
23 MARTINEZ participated in a recorded telephone conversation with  
24 co-conspirator Desiree Trejo in which they discuss how the  
25 Delhi gang was on the "green light" list.

26 Overt Act No. 119: On or about June 7, 2012, defendant  
27 GLENNING participated in a recorded call with unindicted co-  
28 conspirator N.A. in which defendant GLENNING discussed the

1 possible location of a gang member who testified against the OC  
2 Mexican Mafia in a murder trial.

3 Overt Act No. 120: On or about June 12, 2012, defendant  
4 GLENNING participated in a recorded jail visit with co-  
5 conspirator Joe Lara in which defendant GLENNING discussed how  
6 he needed to contact defendant ESQUIVEL. Defendant GLENNING  
7 further discussed how he passed messages to help co-conspirator  
8 Ojeda.

9 Overt Act No. 121: Prior to June 26, 2012, members of the  
10 OC Mexican Mafia placed the West Side La Habra gang on the  
11 "green light" list due to not paying taxes to defendant  
12 ESQUIVEL.

13 Overt Act No. 122: On or about June 26, 2012, associates  
14 of the OC Mexican Mafia assaulted unindicted co-conspirator  
15 P.C., a member of the West Side La Habra gang, at the Theo Lacy  
16 jail.

17 Overt Act No. 123: On or about June 27, 2012, defendant  
18 BERNAL supplied approximately 25 grams of heroin to CI#3.

19 Overt Act No. 124: Prior to on or about June 27, 2012,  
20 members of the OC Mexican Mafia placed the Boys From  
21 the Hood gang on the "green light" list and informed the  
22 members of that gang that they needed to pay \$2,500 to have the  
23 gang taken off the "green light" list.

24 Overt Act No. 125: On or about June 27, 2012, associates  
25 of the OC Mexican Mafia assaulted unindicted co-conspirator  
26 J.R., a member of the Boys From the Hood gang, while he was in  
27 custody.

28 Overt Act No. 126: On or about July 7, 2012, defendant

1 CASTRO possessed a message for members and associates of the OC  
2 Mexican Mafia that described the rules to be followed by  
3 members and associates of the OC Mexican Mafia, what was to  
4 happen to drugs brought into the jail, and discipline action  
5 and assaults that would occur as a result of non-compliance  
6 with the rules established by the OC Mexican Mafia.

7 Overt Act No. 127: On or about July 12, 2012, defendant  
8 BERNAL supplied approximately 13.1 grams of methamphetamine to  
9 CI#3.

10 Overt Act No. 128: On or about July 27, 2012, defendant  
11 BERNAL supplied approximately 26.7 grams of methamphetamine to  
12 CI #2.

13 Overt Act No. 129: On or about August 9, 2012, defendant  
14 GLENNING participated in a recorded telephone conversation with  
15 CI#3 in which defendant GLENNING stated he would provide CI#3  
16 the names and personal identifying information of two  
17 individuals who would not pay back their bail money to  
18 defendant GLENNING.

19 Overt Act No. 130: On or about August 12, 2012,  
20 defendants BERNAL and ESQUIVEL participated in a recorded  
21 telephone conversation in which defendant ESQUIVEL told  
22 defendant BERNAL to go to defendant FRANCO's residence. During  
23 this call, defendant BERNAL asked if defendant ESQUIVEL wanted  
24 the same narcotics, and defendant ESQUIVEL confirmed that he  
25 did.

26 Overt Act No. 131: On or about August 12, 2012 defendants  
27  
28



1 BERNAL and FRANCO participated in a recorded telephone  
2 conversation in which defendant BERNAL ordered one unit of  
3 methamphetamine from defendant FRANCO for defendant ESQUIVEL.

4 Overt Act No. 132: On or about August 14, 2012, defendant  
5 MAYORAL gave a message to CI#2 for the members and associates  
6 of the OC Mexican Mafia that stated that defendant MAYORAL was  
7 the main shot-caller for the OC Mexican Mafia. Defendant  
8 MAYORAL's message also included the "green light" and "hard  
9 candy" lists.

10 Overt Act No. 133: On or about August 30, 2012, defendant  
11 MAYORAL told CI#2 the names of two subjects who were being  
12 targeted for murder by the OC Mexican Mafia.

13 Overt Act No. 134: On or about September 3, 2012,  
14 associates with the OC Mexican Mafia assaulted unindicted co-  
15 conspirator J.A. at the Theo Lacy jail because he lost  
16 narcotics in the jail and owed money to defendant BERNAL.

17 Overt Act No. 135: On or about September 20, 2012,  
18 defendant MAYORAL participated in a recorded telephone  
19 conversation with defendant BERNAL in which they discussed  
20 authorizing a "green light" on the West Side Myrtle gang.

21 Overt Act No. 136: On or about September 21, 2012,  
22 defendant MAYORAL gave CI#2 messages for members and associates  
23 of the OC Mexican Mafia which listed a roll-call of all the  
24 Southern Hispanics inmates housed in Module P at the Theo Lacy  
25 Jail and also contained a "hard candy" list.

26 Overt Act No. 137: Prior to on or about October 1, 2012,  
27 defendant ESQUIVEL placed the La Fabrica gang on the "green  
28 light" list.

1        Overt Act No. 138: On or about October 1, 2012,  
2 associates of the OC Mexican Mafia assaulted unindicted co-  
3 conspirator G.H., a member of the La Fabrica gang, in jail.

4        Overt Act No. 139: Prior to on or about October 2, 2012,  
5 defendants ALVAREZ and CASTRO identified unindicted co-  
6 conspirator A.M. as an inmate who was cooperating in another  
7 inmate's murder trial.

8        Overt Act No. 140: On or about October 2, 2012,  
9 associates of the OC Mexican Mafia assaulted unindicted co-  
10 conspirator A.M. in the Theo Lacy jail.

11       Overt Act No. 141: On or about October 2, 2012, defendant  
12 CASTRO wrote a message to members and associates of the OC  
13 Mexican Mafia which discussed how the ES Buena Park gang was  
14 being added to the "green light" list.

15       Overt Act No. 142: On or about October 12, 2012,  
16 defendant MAYORAL gave messages to CI#2 from defendant CASTRO  
17 for members and associates of the OC Mexican Mafia that stated  
18 certain inmates had a pass from being assaulted and further  
19 described where to send narcotics that came into the OCJ.

20       Overt Act No. 143: On or about October 12, 2012,  
21 defendant RODRIGUEZ wrote a message for member and associates  
22 of the OC Mexican Mafia that discussed whether the ES Buena  
23 Park and West Myrtle Street gangs were on the "green light"  
24 list.

25       Overt Act No. 144: On or about October 12, 2012,  
26 defendant ESQUIVEL collected \$2,500 from unindicted co-  
27 conspirator R.V. to have his name removed from the "hard candy"  
28 list.

1       Overt Act No. 145: On or about October 12, 2012,  
2 defendant ESQUIVEL participated in a conversation with CI#2 in  
3 which defendant ESQUIVEL stated that the Boys From the Hood  
4 gang was on the "green light" list because the gang's members  
5 were putting out false information about defendant ESQUIVEL.  
6 Defendant ESQUIVEL added that members of this gang would have  
7 to pay \$2,500 to be removed from the "green light" list.

8       Overt Act No. 146: On or about October 19, 2012,  
9 defendant MORENO brought several messages from Corcoran State  
10 Prison to Chino State Prison to pass to the leadership of the  
11 Mexican Mafia. These messages included orders to kill and  
12 assault inmates and gang members, and they included a written  
13 message that was seized from defendant MORENO by law  
14 enforcement.

15       Overt Act No. 147: Prior to on or about October 20, 2012,  
16 defendant RODRIGUEZ, a shot-caller for the OC Mexican Mafia,  
17 ordered that unindicted co-conspirator A.D. be assaulted.

18       Overt Act No. 148: On or about October 20, 2012,  
19 associates of the OC Mexican Mafia assaulted unindicted co-  
20 conspirator A.D. based on defendant RODRIGUEZ's orders.

21       Overt Act No. 149: Prior to on or about October 26, 2012,  
22 defendants AGUILAR-VARGAS and ESQUIVEL ordered that unindicted  
23 co-conspirator J.R. be killed for not forwarding tax payments  
24 to co-conspirator Ojeda.

25       Overt Act No. 150: On or about October 26, 2012,  
26 associates of the OC Mexican Mafia assaulted unindicted co-  
27 conspirator J.R. at the Theo Lacy jail.

28       Overt Act No. 151: On or about November 6, 2012,

1 defendant ESQUIVEL ordered defendant AMAYA to write the current  
2 "hard candy" list.

3 Overt Act No. 152: On or about November 6, 2012,  
4 defendant AMAYA wrote a message containing the "hard candy"  
5 list for the members and associates of the OC Mexican Mafia in  
6 federal custody.

7 Overt Act No. 153: On or about November 6, 2012,  
8 defendant ESQUIVEL put unindicted co-conspirator D.O. on the  
9 "hard candy" list for being an associate of a separate faction  
10 of the Mexican Mafia.

11 Overt Act No. 154: On or about November 8, 2012,  
12 defendant CASTRO wrote a message to unindicted co-conspirator  
13 A.T. confirming that defendant MORENO lost an important message  
14 for members and associates of the OC Mexican Mafia.

15 Overt Act No. 155: Prior to on or about November 27,  
16 2012, defendants ESQUIVEL and BERNAL purchased methamphetamine  
17 from co-conspirator Juan Fernandez, who also paid taxes to  
18 defendants ESQUIVEL and BERNAL.

19 Overt Act No. 156: On or about November 28, 2012,  
20 defendant ESQUIVEL put co-conspirator Richard Longoria on the  
21 "hard candy" list for collecting taxes and not giving the taxes  
22 to defendants ESQUIVEL or AGUILAR-VARGAS.

23 Overt Act No. 157: On or about November 29, 2012,  
24 defendant ESQUIVEL participated in a conversation with CI#2 in  
25 which defendant ESQUIVEL discussed ordering unindicted co-  
26 conspirator R.G. to commit a murder in Mexico for the benefit  
27 of the OC Mexican Mafia.

28 Overt Act No. 158: Prior to December 6, 2012, defendant

1 ESQUIVEL placed the West Side La Habra gang on the "green  
2 light" list because the gang's members failed to pay taxes for  
3 several months.

4 Overt Act No. 159: On or about December 31, 2012,  
5 defendants HARPER and SILVA-COX participated in a recorded  
6 telephone conversation in which defendant SILVA-COX stated she  
7 went to defendant BERNAL's house on behalf of defendant HARPER.  
8 Defendant SILVA-COX also stated that the card soaked in  
9 methamphetamine was not ready yet.

10 Overt Act No. 160: On or about January 3, 2013, defendant  
11 SILVA-COX attempted to send a greeting card soaked in  
12 methamphetamine to defendant HARPER, who was in the OCJ.

13 Overt Act No. 161: On or about January 7, 2013, defendant  
14 CASTRO possessed "green light" and "hard candy" lists in his  
15 jail cell.

16 Overt Act No. 162: On or about January 7, 2013, an  
17 unindicted co-conspirator sent a message to defendant CASTRO  
18 asking defendant CASTRO to help arrange for the unindicted co-  
19 conspirator to make payments to remove the unindicted co-  
20 conspirator's name from the "green light" list.

21 Overt Act No. 163: On or about January 7, 2013, defendant  
22 SILVA-COX participated in a recorded telephone conversation in  
23 which she discussed how she kept sending cards soaked in  
24 methamphetamine to the OCJ and the cards keep getting  
25 confiscated.

26 Overt Act No. 164: On or about January 7, 2013, defendant  
27  
28

1 SILVA-COX participated in a recorded telephone conversation in  
2 which defendant SILVA-COX discussed how she met with an  
3 individual who could sell her \$500 worth of narcotics.

4 Overt Act No. 165: On or about January 8, 2013,  
5 defendants SILVA-COX and HARPER and an unindicted co-  
6 conspirator participated in a recorded telephone conversation  
7 in which defendant HARPER stated that he had received a card  
8 soaked in methamphetamine in jail from defendant SILVA-COX.  
9 Defendants SILVA-COX and HARPER and an unindicted co-  
10 conspirator further discussed an individual who was to be  
11 assaulted for giving information to the police.

12 Overt Act No. 166: On or about January 9, 2013,  
13 defendants SILVA-COX and HARPER and an unindicted co-  
14 conspirator participated in a recorded telephone conversation  
15 in which the unindicted co-conspirator stated that two gang  
16 members had been added to the "green light" list.

17 Overt Act No. 167: On or about January 20, 2013,  
18 defendant SILVA-COX participated in a recorded telephone  
19 conversation in which she discussed narcotics trafficking.

20 Overt Act No. 168: On or about January 20, 2013,  
21 defendants SILVA-COX and HARPER participated in a recorded  
22 telephone conversation in which they discuss SILVA-COX buying  
23 narcotics and making money.

24 Overt Act No. 169: On or about January 24, 2013,  
25 defendant SILVA-COX attempted to bring approximately 30.9 grams

26 //

27 //

1 of heroin, 17.4 grams of methamphetamine, and .2 grams of  
2 cocaine into the OCJ that were meant to go to defendant  
3 AGUILAR-VARGAS.

4 All in violation of Title 18, United States Code, Section  
5 1962(d).

COUNT TWO

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about October 12, 2011, in Orange County, within the Central District of California, defendant ALVARO HERNANDEZ knowingly and intentionally distributed at least five grams, namely, approximately 22.8 grams, of methamphetamine, a schedule II controlled substance.



COUNT THREE

[18 U.S.C. § 922(g)(1)]


On or about April 13, 2011, in Orange County, within the Central District of California, defendant MARCELO PEREZ, also known as ("aka") "Stalker" ("PEREZ"), knowingly possessed a firearm, namely, a Ruger, 9mm caliber pistol, model P95DC, bearing serial number 315-45361, in and affecting interstate and foreign commerce. Such possession occurred after defendant PEREZ had been convicted of at least one of the following felony offenses punishable by a term of imprisonment exceeding one year, namely: (1) Assault with a Firearm on a Person, in violation of Section 245(a)(2) of the California Penal Code, in the Superior Court of the State of California, Orange County, Case No. 01CF3215, on or about June 11, 2002; (2) Evading a

1 Peace Officer, in violation of Section 2800.2 of the California  
2 Vehicle Code, in the Superior Court of the State of California,  
3 Kern County, Case No. BF107607A, on or about October 20, 2004.

4  
5  
6 A TRUE BILL

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8 151  
9 Foreperson

10 ANDRÉ BIROTTE JR.  
11 United States Attorney

12   
13 ROBERT E. DUGDALE  
14 Assistant United States Attorney  
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16 DENNISE D. WILLETT  
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